

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

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James A. Jordan, Jr.,

Petitioner,

v.

John L. LaManna,

Respondent.

Civil Case No. 4:08-cv-00445-SB

ORDER

This matter is before the Court on the pro se Petitioner's request for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. Pursuant to Local Rule 73.02(B)(2)(a), this matter was referred to a United States Magistrate Judge for preliminary review.

On June 4, 2008, the Respondent filed a motion to dismiss the Petitioner's § 2241 petition, and on June 5, 2008, the Magistrate Judge issued an Order pursuant to Roseboro v. Garrison, 528 F.2d 309 (4th Cir. 1975), advising the Petitioner of his obligation to respond to the Respondent's motion to dismiss. To date, no response has been filed.

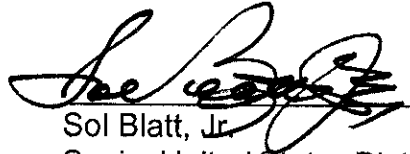
Based on the Petitioner's failure to respond, the Magistrate Judge issued a report and recommendation ("R&R") on July 17, 2008, recommending that this action be dismissed pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute. Attached to the R&R was a notice advising the parties that they had ten days in which to file specific, written objections to the R&R. To date, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriner's Hosp., 109 F.3d

198, 201 (4th Cir. 1997). Here, because the parties filed no objections to the R&R, there are no portions of the R&R to which the Court must conduct a de novo review. Accordingly, the Court hereby adopts the Magistrate Judge's R&R as the Order of this Court, and it is

ORDERED that the Petitioner's § 2241 petition is dismissed pursuant to Rule 41(b) of the Federal Rules of Procedure for failure to prosecute.

IT IS SO ORDERED.


Sol Blatt, Jr.
Senior United States District Judge

August 5, 2008
Charleston, South Carolina

#2